

IN THE CLAIMS

Please amend the following claims:

A1

10. (Amended) A vector comprising the isolated DNA molecule as claimed in claim 1, wherein said isolated DNA molecule is under control of a regulatory element that directs expression of said DNA in a plant cell.

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15. (Amended) A transformed plant cell comprising the vector of claim 10.

16. (Amended) A transformed plant comprising the vector of claim 10.

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18. (Amended) An isolated protein encoded by the isolated DNA molecule as claimed in claim 4.

19. (Amended) A method of producing asexually derived embryos comprising:

- i) transforming a plant cell with the vector of claim 10;
- ii) growing said plant cell to produce transformed tissue;
- iii) selecting said transformed tissue for occurrence of said isolated DNA molecule; and
- iv) assaying said transformed plant for asexual embryo production.

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25. (Amended) A method of modifying the regenerative capacity of a plant comprising:

- i) transforming a plant cell with the vector of claim 10;
- ii) growing said transformed plant cell to produce transformed tissue; and
- iii) assaying said transformed plant tissue for enhanced regeneration as compared to wild-type tissue.

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27. (Amended) A method of selecting a transformed plant comprising;

- i) transforming a normally non-regenerative plant with a vector of claim 10; and

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Corrected

- ii) determining whether said transformed plant is able to regenerate under conditions in which said normally non-regenerative plant does not regenerate.

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30. (Amended) A vector comprising the isolated DNA molecule of claim 28 operably associated with a gene of interest, wherein said isolated DNA molecule directs the expression of said gene of interest within a plant cell.

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33. (Amended) A transformed plant cell comprising the vector of claim 30.

34. (Amended) A transformed plant comprising the vector of claim 30.

36. (Amended) A method for directing the expression of a gene of interest within a developing embryo of a plant comprising transforming said plant with the vector as defined by claim 30.

37. (Amended) A use of a nucleotide sequence as defined in claim 4 as a selectable marker.

38. (Amended) A method of producing asexually derived embryos comprising:

- i) transiently transforming a plant cell with the vector of claim 10, to produce a modified plant cell;
- ii) growing said modified plant cell to produce tissue; and
- iii) assaying said tissue for asexual embryo formation.

44. (Amended) A method of modifying the regenerative capacity of a plant comprising

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- i) transiently transforming a plant cell with the vector of claim 10, to produce a modified plant cell;
- ii) growing said modified plant cell to produce tissue; and
- iii) assaying said tissue for enhanced regeneration as compared to wild-type tissue.

A10

46. (Amended) A method of producing an apomictic plant comprising:

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could

- i) transforming a plant with the vector of claim 10, to produce a transformed plant;
- ii) selecting said transformed plant for occurrence of said isolated DNA molecule; and
- iii) assaying said transformed plant for asexual embryo production.

51. (Amended) A method of modifying the regenerative capacity of a plant comprising

- i) transiently transforming a plant cell with the vector of claim 10;
- ii) growing said plant cell to form tissue; and
- iii) assaying said tissue for enhanced regeneration as compared to wild-type tissue.

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53. (Amended) A method of selecting a modified plant comprising;

- i) transiently transforming a normally non-regenerative plant with a vector of claim 10 to produce said modified plant; and
- ii) determining whether said modified plant is able to regenerate under conditions in which said normally non-regenerative plant does not germinate.

55. (Amended) A method of producing a protein of interest comprising

- i) transforming a plant with a vector of claim 10 to produce a transformed plant;
- ii) selecting said transformed plant for occurrence of said isolated DNA molecule; and
- iv) growing said transformed plant in order to produce said protein of interest, wherein expression of said protein of interest is induced by the expression product of said isolated DNA.

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58. (Amended) The method of claim 55, wherein said protein of interest is selected from the group consisting of a pharmaceutically active protein, antibody, industrial enzyme, protein supplement, nutraceutical, storage protein, an enzyme involved in oil biosynthesis, animal feed, and animal feed supplement.

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